

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL NO. 3:04CV502-C**

<b>EQUAL EMPLOYMENT</b>	)	
<b>OPPORTUNITY COMMISSION,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<hr/> <b>LSRWM CORPORATION d/b/a RWM</b>	)	
<b>CASTERS COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	
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**THIS MATTER** is before the Court on “Plaintiff’s Motion to Set Aside Entry of Default” (document #15) filed April 11, 2006. In support of its Motion the Plaintiff Equal Employment Opportunity Commission advises the Court that the Complaint names the wrong defendant, which explains why the actual Defendant has never responded to the Complaint or appeared in the case. The Plaintiff seeks to withdraw its “Motion for Default Judgment and Request for Hearing on Damages” for the same reason.

**NOW THEREFORE, IT IS ORDERED:**

1. The “Plaintiff’s Motion to Set Aside Entry of Default” (document #15) filed April 11, 2006 is **GRANTED**, that is, the Entry of Default is hereby **SET ASIDE**.
2. The Plaintiff’s “Motion for Default Judgment and Request for Hearing on Damages” (documents ##8-9)<sup>1</sup> is deemed to be **WITHDRAWN**, and shall be so docketed by the Clerk.
3. The Clerk is directed to send copies of this Order to counsel for the Plaintiff; and to the

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<sup>1</sup>The Motion was docketed twice by the Clerk of Court.

Honorable Robert J. Conrad, Jr.

**SO ORDERED.**

Signed: April 12, 2006

*Carl Horn, III*

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Carl Horn, III  
United States Magistrate Judge

